

## DATA SUBJECT RIGHTS POLICY

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### ABOUT THESE PROCEDURES

Data subjects have certain rights in respect of their personal data. When we process data subjects' personal data, we shall respect those rights. These procedures provide a framework for responding to requests to exercise those rights. It is our policy to ensure that requests by data subjects to exercise their rights in respect of their personal data are handled in accordance with applicable law. All requests should be made to the Data Protection Officer. Any queries in respect of this policy should be raised with the Data Protection Officer.

These procedures only apply to data subjects whose personal data we process.

### RESPONDING TO REQUESTS TO ACCESS PERSONAL DATA

Data subjects have the right to request access to (and a copy of) their personal data that is held and processed by us. There is a pro forma request form at the end of this policy. Such requests are called subject access requests ("SARs"). When a data subject makes an SAR you should immediately notify the Data Protection Officer that such a request has been made. We will then take the following steps:

- a) log the date on which the request was received (to ensure that the relevant timeframe of one month for responding to the request is met);
- b) if the request is not made from a current employee, or where we are otherwise certain that the request is from the data subject whose data we are processing, confirm that the identity of the person making the request is the same as the data subject. For example, we may request additional information from the person making the request to confirm their identity;

- c) search databases, systems, applications and other places where the data subject's personal data may be held; and
- d) confirm to the data subject whether or not personal data of the data subject making the SAR are being processed.

If personal data of the data subject is being processed, in addition to a copy of their data (see below), we shall provide the data subject with the following information in line with their right to be informed:

- a) the purposes of the processing;
- b) the categories of personal data concerned (for example, contact details, bank account information, details of sales or other activity);
- c) the recipients or categories of recipient to whom the personal data has been or will be disclosed, in particular recipients overseas;
- d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period. We may refer to our document retention policy to assist with this;
- e) the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data or to object to such processing;
- f) the right to lodge a complaint with the Information Commissioner's Office ("ICO");
- g) where the personal data is not collected from the data subject, any available information as to their source and
- h) where personal data is transferred outside the EU, details of the appropriate safeguards to protect the personal data.

We shall provide this information in a concise, transparent, intelligible and easily accessible

form, using clear and plain language, in writing or by other (including electronic) means. In the event that we cannot do so (for example, if information is stored in computer code) we will explain what information we have and why it cannot be provided, or why it cannot be provided in a more accessible format.

Subject to Exemptions [listed below] we shall provide the data subject with a copy of the personal data processed by us in a commonly used electronic form, (unless the data subject either did not make the request by electronic means or has specifically requested not to be provided with the copy in electronic form), within one month of receipt of the request. If the request is complex, or there are a number of requests, we may extend the period for responding by a further two months. If we extend the period for responding we shall inform the data subject within one month of receipt of the request and explain the reason(s) for the delay.

Before providing the personal data to the data subject making the SAR, we shall review the personal data requested to see if they contain the personal data of other data subjects. If they do, we may redact (obscure or black out) the personal data of those other data subjects prior to providing the data subject with their personal data, unless those other data subjects have consented to the disclosure of their personal data.

If the SAR is manifestly unfounded or excessive (for example, because of its repetitive character) we may charge a reasonable fee, taking into account the administrative costs of providing the personal data, or refuse to act on the request.

If we are not going to respond to the SAR we shall inform the data subject of the reason(s) for not taking action and of the possibility of lodging a complaint with the ICO.

#### **RESPONDING TO REQUESTS TO RECTIFY PERSONAL DATA**

Data subjects have the right to have their inaccurate personal data corrected (rectified). Rectification can include having incomplete personal data completed (for example, by a data subject providing a supplementary statement regarding the data). Subject to any

Exemptions [listed below], where such a request is made, we shall rectify the personal data without undue delay.

We shall also communicate the rectification of the personal data to each recipient to whom the personal data has been disclosed (for example, our third party service providers who process the data on our behalf), unless this is impossible or involves disproportionate effort. We shall also inform the data subject about those recipients if the data subject requests it.

#### **RESPONDING TO REQUESTS FOR THE ERASURE OF PERSONAL DATA**

Data subjects have the right, in certain circumstances, to request that we erase their personal data. Subject to any Exemptions [listed below], where such a request is made, we shall erase the personal data without undue delay if:

- the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- the data subject withdraws their consent to the processing of their personal data and consent was the basis on which the personal data was processed and there is no other legal basis for the processing;
- the data subject objects to the processing of their personal data on the basis of our performance of a task carried out in the public interest or in the exercise of official authority vested in us, or on the basis of our legitimate interests which override the data subject's interests or fundamental rights and freedoms, unless we either can show compelling legitimate grounds for the processing which override those interests, rights and freedoms, or we are processing the data for the establishment, exercise or defence of legal claims;
- the data subject objects to the processing of their personal data for direct marketing purposes;
- the personal data has been unlawfully processed;

- the personal data has to be erased for compliance with a legal obligation to which we are subject; or
- the personal data has been collected in relation to the offer of e-commerce or other online services.

Subject to any Exemptions [listed below], when a data subject makes a request for erasure in the circumstances set out above, we shall take the following steps:

- a) log the date on which the request was received (to ensure that the relevant timeframe of one month for responding to the request is met);
- b) confirm that the identity of the person making the request is the same as the data subject. We may request additional information from the person making the request to do this;
- c) search databases, systems, applications and other places where the personal data that is the subject of the request may be held and erase such data within one month of receipt of the request. If the request is complex, or there are a number of requests, we may extend the period for responding by a further two months. If we extend the period for responding we shall inform the data subject within one month of receipt of the request and explain the reason(s) for the delay;
- d) where we have made the personal data public, we must, taking reasonable steps, including technical measures, inform those who are processing the personal data that the data subject has requested the erasure by them of any links to, or copies or replications of, those personal data; and
- e) communicate the erasure of the personal data to each recipient to whom the personal data has been disclosed unless this is impossible or involves disproportionate effort. We shall also inform the data subject about those recipients if the data subject requests it.

If the request is manifestly unfounded or excessive, (for example, because of its repetitive character), we may charge a

reasonable fee, taking into account the administrative costs of erasure, or refuse to act on the request.

If we are not going to respond to the request we shall inform the data subject of the reasons for not taking action and of the possibility of lodging a complaint with the ICO.

In addition to the Exemptions [listed below], we can also refuse to erase the personal data to the extent processing is necessary:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation which requires processing by law and to which we are subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in us;
- for reasons of public interest in the area of public health;
- for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes in so far as the right to erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- for the establishment, exercise or defence of legal claims.

#### **RESPONDING TO REQUESTS TO RESTRICT THE PROCESSING OF PERSONAL DATA**

Subject to any Exemptions [listed below], data subjects have the right to restrict the processing of their personal data if:

- the data subject contests the accuracy of the personal data, for a period to allow us to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- we no longer need the personal data for the purposes we collected them, but they are required by the data subject for the

establishment, exercise or defence of legal claims; and

- the data subject has objected to the processing, pending verification of whether we have legitimate grounds to override the data subject's objection.

Where processing has been restricted, we shall only process the personal data (excluding storing them):

- with the data subject's consent;
- for the establishment, exercise or defence of legal claims;
- for the protection of the rights of another person; or
- for reasons of important public interest.

Prior to lifting the restriction, we shall inform the data subject of the lifting of the restriction.

We shall communicate the restriction of processing of the personal data to each recipient to whom the personal data has been disclosed, unless this is impossible or involves disproportionate effort. We shall also inform the data subject about those recipients if the data subject requests it.

#### **RESPONDING TO REQUESTS FOR THE PORTABILITY OF PERSONAL DATA**

Data subjects have the right, in certain circumstances, to receive their personal data that they have provided to us in a structured, commonly used and machine-readable format that they can then transmit to another company. Subject to any Exemptions [listed below], where such a request is made, we shall provide the personal data without undue delay if:

- a) the legal basis for the processing of the personal data is consent or pursuant to a contract; and
- b) our processing of those data is automated.

When a data subject makes a request for portability in the circumstances set out above, we shall take the following steps:

- a) log the date on which the request was received (to ensure that the relevant

timeframe of one month for responding to the request is met);

- b) confirm that the identity of the person making the request is the same as the data subject. We may request additional information from the person making the request to confirm their identity; and
- c) search databases, systems, applications and other places where the personal data that is the subject of the request may be held and provide the data subject with such data (or, at the data subject's request, transmit the personal data directly to another company, where technically feasible) within one month of receipt of the request. If the request is complex, or there are a number of requests, we may extend the period for responding by a further two months. If we extend the period for responding we shall inform the data subject within one month of receipt of the request and explain the reason(s) for the delay.

If the request is manifestly unfounded or excessive (for example, because of its repetitive character) we may charge a reasonable fee, taking into account the administrative costs of providing or transmitting the personal data, or refuse to act on the request.

If we are not going to respond to the request we shall inform the data subject of the reasons for not taking action and of the possibility of lodging a complaint with the ICO.

#### **RESPONDING TO OBJECTIONS TO THE PROCESSING OF PERSONAL DATA**

Data subjects have the right to object to the processing of their personal data where such processing is on the basis of our performance of a task carried out in the public interest or in the exercise of official authority vested in us, or on the basis of our legitimate interests which override the data subject's interests or fundamental rights and freedoms, unless we either:

- a) can show compelling legitimate grounds for the processing which override those interests, rights and freedoms; or

- b) are processing the personal data for the establishment, exercise or defence of legal claims.

Data subjects also have the right to object to the processing of their personal data for scientific or historical research purposes, or statistical purposes, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Subject to any Exemptions [listed below], where such an objection is made, we shall no longer process a data subject's personal data.

Where personal data is processed for direct marketing purposes, data subjects have the right to object at any time to the processing of their personal data for such marketing. If a data subject makes such a request, we shall stop processing the personal data for such purposes.

#### EXEMPTIONS

Before responding to any request we shall check whether there are any exemptions that apply to the personal data that is the subject of the request. Exemptions may apply where it is necessary and proportionate not to comply with the requests described above to safeguard:

- a) national security;
- b) defence;
- c) public security;

- d) the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security;
- e) other important objectives of general national public interest, in particular an important national economic or financial interest, including monetary, budgetary and taxation matters, public health and social security;
- f) the protection of judicial independence and judicial proceedings;
- g) the prevention, investigation, detection and prosecution of breaches of ethics for regulated professions;
- h) a monitoring, inspection or regulatory function connected, even occasionally, to the exercise of official authority in the cases referred to in and (g) above;
- i) the protection of the data subject or the rights and freedoms of others; or
- j) the enforcement of civil law claims.

Also see:

[Data Protection Policy](#)

## DATA SUBJECT ACCESS REQUEST FORM

Please complete this form if you wish to request access to your personal data. You do not have to use this form, but it will help us to deal with your request as quickly and effectively as possible if you do.

You can also use this form if you are requesting access to personal data on behalf of someone else. In that case, we will need you to confirm you have that person's authority to ask for access to their data.

If you have any questions about this form or your request, please contact Data Protection Officer to discuss it further.

### ABOUT YOU

Please provide the following information. If you have an account number or other reference number, please provide it.

|  |                               |
|--|-------------------------------|
| Full name  | [Details to be inserted here] |
| Address  | [Details to be inserted here] |
| Contact details  | [Details to be inserted here] |
| Customer account number OR National Insurance number OR other identifying reference number | [Details to be inserted here] |

For security reasons, we cannot respond to a request unless we have confirmed your identity. Please provide a copy passport, plus a utility bill or other proof of address.

### WHOSE PERSONAL DATA ARE YOU REQUESTING?

Please provide the following information. If you are making this request on behalf of someone else, we will need this information before we can supply you with the data you are asking for.

|  |   |
|--|---|
| Are you requesting access to your own personal data? | <input type="checkbox"/> Yes, please go 'What data are you requesting'.<br><input type="checkbox"/> No, please complete the rest of this section of the form. |
|--|---|

If you are not requesting access to your own personal data, please provide the following information about the person on whose behalf you are making this request:

|  |                               |
|--|-------------------------------|
| Full name  | [Details to be inserted here] |
| Address  | [Details to be inserted here] |
| Contact details  | [Details to be inserted here] |
| Customer account number OR National Insurance number OR other identifying reference number | [Details to be inserted here] |
| Age (if under 16)  | [Details to be inserted here] |

We cannot respond to your request until we also receive satisfactory confirmation of the identity of the person on whose behalf you are making this request. Please provide a copy passport, plus a utility bill or other proof of their address.

Please provide a copy of your legal authority to make this request. This might be a signed letter of authority from the person on whose behalf you are making this request, a power of attorney, or confirmation that you are their legal representative.

**WHAT DATA ARE YOU REQUESTING?**

Please describe what personal data and other information you are requesting, in particular if you are asking for specific documents or information.

|   |                               |
|---|-------------------------------|
| Description of the personal data and information requested including details of any specific documents or information you asking for (where relevant) | [Details to be inserted here] |
|---|-------------------------------|

Please give as much detail as possible about where the data might be located and any other relevant information. You do not have to provide this information, but doing so will help us to deal with your request as quickly and effectively as possible.

|  |                               |
|--|-------------------------------|
| Location of data, <i>e.g.</i> any particular departments or parts of the organisation you have dealt with (if known) | [Details to be inserted here] |
| Relevant time periods, <i>e.g.</i> when we are likely to have obtained your data (if known)                          | [Details to be inserted here] |
| Dates of any particular correspondence, meetings or telephone calls (if known)                                       | [Details to be inserted here] |
| The name(s) of people you have dealt with within our organisation (if known)   | [Details to be inserted here] |
| Any other relevant information you can think of that might help us respond to your request                           | [Details to be inserted here] |

**SIGNATURE**

Please check the information you have provided and sign below.

|        |                                 |
|--------|---------------------------------|
| Signed | [Signature to be inserted here] |
| Date   | [Date to be inserted here]      |

Please send this form and the documents we have asked you to provide to:

Data Protection Officer  
 The Company of Biologists Limited  
 Bidder Building  
 Station Road  
 Histon, Cambs CB24 9LF

or email [dataprotection@biologists.com](mailto:dataprotection@biologists.com).

If you are making this request by email, we will provide the information to you in an electronic format unless you ask us not to. If you wish to receive your information in a different format, *eg* hard copy please let us know in the box below.

[Details to be inserted here]